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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/427,819	10/27/1999	ENGELBERTUS VAN WILLIGEN	PHN-17.166	3807
24737	7590	01/29/2004	EXAMINER	
PHILIPS INTELLECTUAL PROPERTY & STANDARDS			NOBAHAR, ABDULHAKIM	
P.O. BOX 3001			ART UNIT	PAPER NUMBER
BRIARCLIFF MANOR, NY 10510			2132	
DATE MAILED: 01/29/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/427,819	VAN WILLIGEN, ENGELBERTUS	
	<b>Examiner</b>	<b>Art Unit</b>	
	Abdulhakim Nobahar	2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on November 19, 2003.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1,3-7,9 and 10 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1, 3-7, 9, 10 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. §§ 119 and 120

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.
- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
  - a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

#### Attachment(s)

- |  |  |
|--|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                               | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)           | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . | 6) <input type="checkbox"/> Other: _____ .                                   |

***Response to Arguments***

1. This communication is in response to applicants' response received on November 19, 2003.
2. The amendments of claims 1, 3, 4, 6, 7, 9 and 10 and cancellation of claims 2 and 8 are acknowledged. It is also acknowledged that the amendments of the claims do not introduce any new matter.
3. Applicants' arguments have been fully considered but they are not persuasive.

On page 6 of the remarks, second paragraph, applicant argues that "Pinder, does not disclose, suggest, or provide a network wherein an information server, subscriber terminals and an authorization server all use an internet protocol gateway to authorize the access of the subscriber terminals to interactive services, as recited above." Applicant also on page 6 of the remark, third paragraph, argues that "Thus, Pinder does not show that the subscriber terminal includes an authorization transmitting means for transmitting authorization request messages using the internet protocol gateway to an authorization server."

Pinder discloses (col. 14, lines 5-15, Fig. 5 and col. 16, lines 40-45) that an administrative gateway is deployed to provide authorization service to the digital

broadband delivery system (DBDS). The Media sever (corresponding to the recited information server) of the Pinder system is coupled to the gateway (col. 15, lines 25-30). Pinder also discloses the use of Internet Protocol by the DBDS to transmit messages or data between the service provider and the customers (Fig. 6 and col. 18, lines 43-51). Pinder further discloses that the DBDS system is an interactive system, because the customers can transmit messages from their set top boxes to the control access authority (see, for example, col. 12, lines 47-65 and col. 15, lines 35-50). Pinder further discloses (page 16, lines 5-32) that the digital home communication terminal (DHCT) has a secure element (DHCTSE) (corresponding to the recited authorization transmitting means) that as one of its functions encrypts the messages that are being transmitted on behalf of the customer (such as forward purchasing messages) to the DBDS system.

4. However, In light of the above submission and amendments to the claims the new ground of rejection is as follows.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, lines 4-6 of this claim recites "the subscriber terminals for transmitting broadcast signals to the subscriber terminals", which it is an unclear statement. Appropriate correction is necessary.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3-7, 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pinder et al (6,105,134) (hereinafter Pinder) and in view of Gordon et al (6,314,573 B1) (hereinafter Gordon).

Referring to claim 1, Pinder discloses:

Broadcast network comprising an information server coupled to an Internet protocol gateway. See, for example, column 15, lines 25-27, where the media server corresponds to the recited information server.

A plurality of subscriber terminals coupled to the Internet protocol gateway, the subscriber terminals for transmitting broadcast signals to the subscriber terminals. See, for example, Fig. 5 and Fig. 6, where DHCT 333(k) are a plurality of the subscriber terminals and are coupled to broadband integrated gateway through an IP network.

A return channel for transmitting information from a subscriber terminal to a head-end. See, for example, column 12, lines 45-67.

Pinder discloses that the subscriber terminal includes an authorization transmitting means for transmitting authorization request messages using the Internet protocol gateway to an authorization server. See, for example, Fig. 4, Fig. 6 and column 12, line 46-column 13, line 8, where the secure element of the customer terminal (DHCTSE) through the secure manager of the customer terminal encrypts the customer requests and forwards the request (called forwarded purchase message: FPM) to the entitlement manager (corresponding to the recited authorization server) of the service provider system via an IP network and a gateway.

Pinder also discloses the use of Internet protocol (IP) to transmit messages between the customer (subscriber) and the service provider (Fig. 6 and col. 18, lines 43-51), but Pinder does not expressly disclose an "authentication means coupled to an Internet protocol gateway, the authentication means for authorizing the access of the subscriber terminal to interactive services" and "the authorization server being arranged for checking the entitlement of the subscriber to services to be provided by the information server, and in that the authorization server is arranged for enabling the subscriber to access said services.

Gordon, however, discloses an interactive information distribution system (see abstract) that a session manager (corresponding to the recited authorization server or the authentication means) handles the authentication/authorization of the subscriber equipment (i.e., set top box) to access the requested services (col. 5, lines 13-30 and col. 8, line 66-col. 9, line 8). Gordon also discloses that the session manager receives the consumer/subscriber PIN and the terminal identification (TID) of the subscriber to validate them in order to allow the customer to access the intended information (col. 8, lines 24-33).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to deploy an authorization server to receive subscribers secret codes for authenticating them as taught in Gordon in the system of Pinder, because it provide a secure mechanism for providing subscription-on-demand services for an interactive information distribution system (col. 2, lines 35-40) and enabling the consumers to have access to different class of information (col. 2, lines 12-17).

Referring to claim 3, Pinder discloses:

Broadcast network according to claim 1, wherein said message comprises information about at least one source IP address from which IP packets are passed to the subscriber station. See, for example, column 20, lines 2-14.

Referring to claim 4, Pinder discloses:

Broadcast network according to claim 1, wherein said services are transmitted using IP packets, and in that said message comprises information about at least one destination IP address to which IP packets from the subscriber station are passed. See, for example, column 20, lines 2-14.

Referring to claim 5, Pinder discloses:

Subscriber station for receiving broadcast signals. See, for example, abstract and column 1, lines 64-67.

Said subscriber stations being arranged for transmitting information via a return channel to a head-end. See, for example, column 12, lines 45-65.

Wherein the subscriber terminal comprises authorization transmitting means for transmitting authorization request messages to an authorization server. See, for example, Fig. 4, Fig. 6 and column 12, line 46-column 13, line 8, where the secure element of the customer terminal (DHCTSE) through the secure manager of the customer terminal encrypts the customer requests and forwards the request (called forwarded purchase message: FPM) to the entitle manager (corresponding to the recited authorization server) of the service provider system via an IP network and a gateway.

The subscriber further being arranged for receiving authorization messages from the authorization server. See, for example, column 4, lines 37-59.

And in that the subscriber station is arranged for requesting services from the head-end after receiving a positive authorization message. See, for example, column 4, lines 37-67 and column 42, line 57- column 43, line 10.

Referring to claim 6, Pinder discloses:

A gateway for passing, information from an information server to at least one subscriber terminal. See, for example, column 15, lines 25-34 and Fig. 6.

Wherein gateway is arranged for passing authorization request messages from the subscriber terminal to an authorization server using an Internet protocol network. See, for example, Fig. 4, Fig. 6 and column 12, line 46-column 13, line 8, where the secure element of the customer terminal (DHCTSE) through the secure manager of the customer terminal encrypts the customer requests and forwards the request (called forwarded purchase message: FPM) to the entitle manager (corresponding to the recited authorization server) of the service provider system via an IP network and a gateway.

Pinder does not expressly disclose that the gateway allows subscribers to access the requested services in response to authentication by the authorization server.

Gordon, however, discloses an interactive information distribution system (see abstract) that a session manager (corresponding to the recited authorization server or the authentication means) authenticates the subscriber for accessing the requested services (col. 5, lines 13-30, col. 8, line 66-col. 9, line 8 and col. 8, lines 24-33).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to deploy an authorization server to receive subscribers secret codes for authenticating them as taught in Gordon in the system of Pinder, because it provide a secure mechanism for providing subscription-on-demand services for an interactive information distribution system (col. 2, lines 35-40) and enabling the consumers to have access to different class of information (col. 2, lines 12-17).

Referring to claim 7, Pinder discloses:

A method comprising transmitting broadcast signals to at least one subscriber station and transmitting information from the subscriber terminal to a head-end. See, for example, column 4, lines 13-36 and column 7, lines 26-56 and column 10, lines 54-57.

Method further comprises authorizing the access of the subscriber terminal to available services. See, for example, column 3, lines 61-67 and column 4, line 37-column 5, line 10.

Wherein the method comprises transmitting authorization request messages by the subscriber terminal to an authorization server. See, for example, Fig. 4, Fig. 6 and column 12, line 46-column 13, line 8, where the secure element of the customer terminal (DHCTSE) through the secure manager of the customer terminal encrypts the customer requests and forwards the request (called forwarded purchase message: FPM) to the entitle manager (corresponding to the recited authorization server) of the service provider system via an IP network and a gateway.

Pinder discloses that the information is transmitted to the subscriber terminals via an Intrnet protocol network using a gateway. See, for example, Fig. 5 and Fig. 6, where the DHT 333(k) are a plurality of the subscriber terminals and are coupled to broadband integrated gateway through an IP network.

Pinder does not expressly disclose to check the subscribers' entitlement in order to grant subscribers the access to the requested information.

Gordon, however, discloses an interactive information distribution system (see abstract) that a session manager (corresponding to the recited authorization server) receives the consumer/subscriber PIN and the terminal identification (TID) of the subscriber to authenticate and authorize the subscriber terminals to access the requested information (corresponding to the recited checking the entitlement of the subscriber terminals and enabling the subscribers to access the requested services) (col. 5, lines 13-30, col. 8, lines 24-33 and col. 8, line 66-col. 9, line 8).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to deploy an authorization server to receive subscribers secret codes for authenticating and authorizing the subscribers as taught in Gordon in the system of Pinder, because it provide a secure mechanism for providing subscription-on-demand services for an interactive information distribution system (col. 2, lines 35-40) and enabling the consumers to have access to different class of information (col. 2, lines 12-17).

Referring to claim 9, Pinder discloses:

Method according to claim 7, wherein said message comprises information about at least one source IP address from which IP packets are passed to the subscriber station. See, for example, column 20, lines 2-14.

Referring to claim 10, Pinder discloses:

Method according to claim 9, wherein said services are transmitted using IP packets, and in that said message comprises information about at least one destination IP address to which IP packets from the subscriber station are passed. See, for example, column 20, lines 2-14.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdulhakim Nobahar whose telephone number is 703-305-8074. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 703-305-1830. The fax phone number for the organization where this application or proceeding is assigned is 703-746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

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Abdulhakim Nobahar  
Examiner  
Art Unit 2132

*A.N.*

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